The Honorable James L. Robart 1 2 3 4 5 UNITED STATES DISTRICT COURT 6 FOR THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE 7 8 MICROSOFT CORPORATION, a Washington corporation, CASE NO. C10-1823-JLR 9 Plaintiff, ORDER DENYING MICROSOFT'S 10 MOTION TO AMEND PROTECTIVE ORDER TO ALLOW DESIGNATED IN-11 v. HOUSE COUNSEL EXPANDED ACCESS TO CONFIDENTIAL BUSINESS 12 MOTOROLA, INC., and MOTOROLA **INFORMATION** MOBILITY, INC., and GENERAL [PROPOSED] 13 INSTRUMENT CORPORATION, NOTED ON MOTION CALENDAR: 14 Thursday, September 13, 2012 Defendants. 15 16 MOTOROLA MOBILITY, INC., and GENERAL INSTRUMENT CORPORATION. 17 Plaintiffs/Counterclaim Defendant, 18 19 v. 20 MICROSOFT CORPORATION, 21 Defendant/Counterclaim Plaintiff. 22 23 24 25 26

ORDER DENYING MICROSOFT'S MOTION TO AMEND PROTECTIVE ORDER TO ALLOW DESIGNATED IN-HOUSE COUNSEL EXPANDED ACCESS TO CONFIDENTIAL BUSINESS INFORMATION CASE NO. C10-1823-JLR

4821-5622-0177.1

315 FIFTH AVENUE SOUTH, SUITE 1000 SEATTLE, WASHINGTON 98104-2682 Telephone: (206) 676-7000 Fax: (206) 676-7001

1	THIS MATTER having come before the Court on Microsoft's Motion to Amend
2	Protective Order to Allow Designated In-House Counsel Expanded Access to Confidential
3	Business Information and the Court having reviewed the pleadings and evidence presented and on
4	file in this case, and the Court being fully advised as to the issues presented, the Court hereby
5	ORDERS, ADJUDGES AND DECREES that Microsoft's Motion Amend Protective
6	Order to Allow Designated In-House Counsel Expanded Access to Confidential Business
7	Information is hereby DENIED.
8	IT IS SO ORDERED.
9	DATED this day of, 2012.
10	
11	THE HONORABLE JAMES L. ROBART UNITED STATES DISTRICT COURT JUDGE
12	
13	Presented by:
14	SUMMIT LAW GROUP PLLC
15	By /s/ Ralph H. Palumbo
16	Ralph H. Palumbo, WSBA #04751 Philip S. McCune, WSBA #21081
17	Lynn M. Engel, WSBA #21934 ralphp@summitlaw.com
18	philm@summitlaw.com lynne@summitlaw.com
19	
20	By <u>/s/ Thomas V. Miller</u> Thomas V. Miller
21	MOTOROLA MOBILITY, INC. 600 North U.S. Highway 45
22	Libertyville, IL 60048-1286 (847) 523-2162
23	(047) 323-2102
24	
25	
26	

ORDER DENYING MICROSOFT'S MOTION TO AMEND PROTECTIVE ORDER TO ALLOW DESIGNATED IN-HOUSE COUNSEL EXPANDED ACCESS TO CONFIDENTIAL BUSINESS INFORMATION - 1 CASE NO. C10-1823-JLR

4821-5622-0177.1

315 FIFTH AVENUE SOUTH, SUITE 1000 SEATTLE, WASHINGTON 98104-2682 Telephone: (206) 676-7000 Fax: (206) 676-7001

1	And by
2	Jesse J. Jenner (pro hac vice)
3	Steven Pepe (<i>pro hac vice</i>) Kevin J. Post (<i>pro hac vice</i>)
4	Ropes & Gray LLP 1211 Avenue of the Americas
5	New York, NY 10036-8704
	(212) 596-9046 jesse.jenner@ropesgray.com
6	steven.pepe@ropesgray.com kevin.post@ropesgray.com
7	
8	James R. Batchelder (<i>pro hac vice</i>) Norman H. Beamer (<i>pro hac vice</i>)
9	Ropes & Gray LLP 1900 University Avenue, 6 th Floor
10	East Palo Alto, CA 94303-2284
	(650) 617-4030 james.batchelder@ropesgray.com
11	norman.beamer@ropesgray.com
12	Paul M. Schoenhard (<i>pro hac vice</i> Ropes & Gray LLP
13	One Metro Center
14	700 12 th Street NW, Suite 900 Washington, DC 20005-3948
15	(202) 508-4693 paul.schoenhard.@ropesgray.com
	paui.scnoennara.@ropesgray.com
16	Attorneys for Defendants Motorola, Inc., Motorola Mobility, Inc., and General Instrument Corp.
17	Mobility, Inc., and General Instrument Corp.
18	
19	
20	
21	
22	
23	
24	
25	

ORDER DENYING MICROSOFT'S MOTION TO AMEND PROTECTIVE ORDER TO ALLOW DESIGNATED IN-HOUSE COUNSEL EXPANDED ACCESS TO CONFIDENTIAL BUSINESS INFORMATION - 2 CASE NO. C10-1823-JLR

26

4821-5622-0177.1

315 FIFTH AVENUE SOUTH, SUITE 1000 SEATTLE, WASHINGTON 98104-2682 Telephone: (206) 676-7000 Fax: (206) 676-7001

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

CERTIFICATE OF SERVICE

I hereby certify that on this day I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Arthur W. Harrigan, Jr., Esq.
Christopher T. Wion, Esq.
Shane P. Cramer, Esq.
Calfo Danielson, Harrigan, Leyh & Eakes LLP
arthurh@calfoharrigan.com
chrisw@calfoharrigan.com
shanec@calfoharrigan.com

Richard A. Cederoth, Esq. Brian R. Nester, Esq. David T. Pritikin, Esq. Douglas I. Lewis, Esq. John W. McBride, Esq. David Greenfield, Esq. William H. Baumgartner, Jr., Esq. David C. Giardina, Esq. Carter G. Phillips, Esq. Constantine L. Trela, Jr., Esq. Ellen S. Robbins, Esq. Nathaniel C. Love, Esq. Sidley Austin LLP rcederoth@sidley.com bnester@sidley.com dpritikin@sidley.com dilewis@sidley.com jwmcbride@sidley.com david.greenfield@sidley.com wbaumgartner@sidley.com dgiardina@sidley.com cphillips@sidley.com ctrela@sidley.com erobbins@sidley.com nlove@sidley.com

T. Andrew Culbert, Esq. David E. Killough, Esq. Microsoft Corp. andycu@microsoft.com davkill@microsoft.com

DATED this 13th day of September, 2012.

/s/ Marcia A. Ripley
Marcia A. Ripley

26

ORDER DENYING MICROSOFT'S MOTION TO AMEND PROTECTIVE ORDER TO ALLOW DESIGNATED IN-HOUSE COUNSEL EXPANDED ACCESS TO CONFIDENTIAL BUSINESS INFORMATION - 3 CASE NO. C10-1823-JLR

SUMMIT LAW GROUP PLLC

315 FIFTH AVENUE SOUTH, SUITE 1000 SEATTLE, WASHINGTON 98104-2682 Telephone: (206) 676-7000 Fax: (206) 676-7001

4821-5622-0177.1